



CASE PH/5-21028B/C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1617

LEE, ET AL.

Examiner: Capps, K. J.

APPLICATION NO: 10/609,084

Confirmation No. 7443

FILED: June 27, 2003

FOR: PROCESS FOR THE CONTROL OF WEEDS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FEE LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Please charge Deposit Account No. 50-1676 in the name of Syngenta Crop Protection, Inc. in the amount of \$180 for payment of the fee pursuant to 37 CFR §1.17(p) for the submission of an Information Disclosure Statement under 37 CFR §1.97(c).

Applicants submit the file histories for the oppositions filed against the Australian and European equivalents of the instant application. The references cited in the oppositions, or equivalents thereof, have been provided in previously submitted Information Disclosure Statements.

Further, in accordance with MPEP §2001.06(c), Applicants bring to the attention of the USPTO, a Declaratory Judgment Action filed by Monsanto Company relating to the patented parent of the instant application.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.


05/14/2007 AADDF01 00000012 10609084

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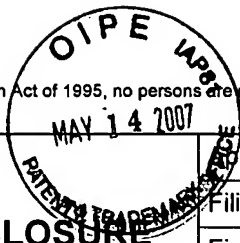
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Respectfully submitted,

Customer No. 26748
Syngenta Crop Protection, Inc.
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410 Swing Road
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Thomas Hamilton
Attorney for Applicant
Reg. No. 40,464

Date: May 11, 2007


**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | |
|------------------------|----------------|
| Application Number | 10609084 |
| Filing Date | 2003-06-27 |
| First Named Inventor | Lee, et al. |
| Art Unit | 1617 |
| Examiner Name | Capps, K. J. |
| Attorney Docket Number | PH/5-21028B/C2 |

U.S.PATENTS

| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | | | | | |

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS

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|-------------------|---------|--------------------|------------------------|------------------|---|--|
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FOREIGN PATENT DOCUMENTS

| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ |
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| | 1 | | | | | | | <input type="checkbox"/> |

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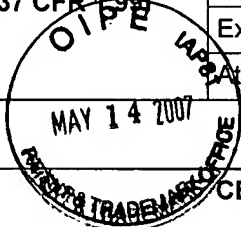
NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T ⁵ |
|--------------------|---------|---|----------------|
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| Examiner Name | Capps, K. J. |
| Attorney Docket Number | PH/5-21028B/C2 |



CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|-------------------|---------------------|------------|
| Signature | /THOMAS HAMILTON/ | Date (YYYY-MM-DD) | 2007-05-10 |
| Name/Print | Thomas Hamilton | Registration Number | 40,464 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Attorney Docket Number | PH/5-21028B/C2 | |

| | | |
|---|---|--------------------------|
| 1 | European Opposition No. GVX/P-C6 HESTER OPPO 01 filed 18/09/2004 by Opposer BASF Aktiengesellschaft in opposition to the grant of Patent No. EP-B-930823 / EP Application No. 97 940 156.9 by Proprietor Syngenta Participations AG; Decision issued on 28 July 2006. | <input type="checkbox"/> |
| 2 | Australian Opposition filed by Opponent Monsanto Company on 21 August 2000, in opposition to Australian Patent Application No. 720095, entitled "Process for the Control of Weeds," in the name of Applicant Syngenta Participations AG; Decision issued on 16 August 2005. | <input type="checkbox"/> |
| 3 | Declaratory Judgment Action styled Monsanto Company v. Syngenta Crop Protection, Inc., No. 4-07cv543 (E.D. Mo. filed Mar. 20, 2007). | <input type="checkbox"/> |

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.